

**RECEIVED
CENTRAL FAX CENTER****SEP 02 2004**

MYERS BIGEL SIBLEY & SAJOVEC, P.A.
Patent Attorneys
4140 Parklake Avenue, Suite 600, Raleigh, NC 27612
or
P.O. Box 37428
Raleigh, NC 27627
919-854-1400
Facsimile 919-854-1401

**TELECOPIER TRANSMISSION
COVER SHEET**

Date: September 2, 2004 **File Number:** 9391-2

Telecopier No.: 703-872-9306 **Telephone No.:**

To: Commissioner for Patents

Company: U.S. Patent and Trademark Office

From: Julie H. Richardson, Esq.

Number of Pages: 13 **Return fax to:** Rosa Lee

If there is a problem with this transmission, please call (919) 854-1400. Our fax number is (919) 854-1401.

Confidentiality Note

The information contained in this facsimile message is legally privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service. THANK YOU.

**RECEIVED
CENTRAL FAX CENTER****SEP 02 2004**

Attorney Docket No. 9391-2

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: Helmut Heide et al.
Application No.: 10/085,526
Filed: February 26, 2002
For: **Resorbable Bone Replacement and Bone Formation Material**

Confirmation No.: 1405
Group Art Unit: 1755
Examiner: Karl E. Group

Date: September 2, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**AMENDMENT AND RESPONSE TO
OFFICE ACTION DATED JUNE 2, 2004**

Sir:

Responsive to the Office Action dated June 2, 2004 please amend the above-identified application as indicated herein.

If any extension of time for the accompanying response or submission is required, Applicant requests that this be considered a petition therefor. The Commissioner is hereby authorized to charge any additional fee, which may be required, or credit any refund, to our Deposit Account No. 50-0220.

Amendments to the Specification begin on page 2 of this document.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this document.

Remarks begin on page 11 of this document.